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PTO/SB/08 (09-06)

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USPTO Form 1449/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

Date Submitted: December 28, 2009

(use as many sheets as necessary)

Sheet 1 of 2

Complete if Known

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| Application Number | 10/579,037 |
| Filing Date | 11/10/2004 |
| First Named Inventor | Daniel HENDRIX |
| Art Unit | 3744 |
| Examiner Name | Teresa J. Walberg |
| Attorney Docket Number | 016906-0510 |

U.S. PATENT DOCUMENTS

| Examiner Initials* | Cite No. ¹ | Document Number | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
|--------------------|-----------------------|---|--------------------------------|--|--|
| | | Number-Kind Code ² (if known) | | | |
| | A1 | 4,230,179 | 10-28-1980 | UEHARA et al. | |
| | A2 | 5,174,370 | 12-29-1992 | HALLGREN | |
| | A3 | 5,230,966 | 07-27-1993 | VOSS et al. | |
| | A4 | 6,293,337 B1 | 09-25-2001 | STRAHLE et al. | |
| | A5 | 6,681,846 B2 | 01-27-2007 | ANGERMANN et al. | |
| | A6 | 2003/0098146 A1 | 05-29-2003 | ANGERMANN et al. | |
| | A7 | 2007/0084592 A1 | 04-19-2007 | HENDRIX et al. | |

UNPUBLISHED U.S. PATENT APPLICATION DOCUMENTS

| Examiner Initials* | Cite No. ¹ | U.S. Patent Application Document | Filing Date of Cited Document MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
|--------------------|-----------------------|--|--|--|--|
| | | Serial Number-Kind Code ² (if known) | | | |
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FOREIGN PATENT DOCUMENTS

| Examiner Initials* | Cite No. ¹ | Foreign Patent Document | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Documents | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear | T ⁶ |
|--------------------|-----------------------|---|--------------------------------|---|--|----------------|
| | | Country Code ³ -Number ⁴ - Kind Code ⁵ (if known) | | | | |
| | A8 | JP 56-000993 A | 01-08-1981 | HISAKA WORKS LTD. | | Abst. |
| | A9 | JP 64-090971 A | 04-10-1989 | MATSUSHITA REFRIG CO., LTD. | | Abst. |
| | A10 | JP 2001-133172 A | 05-18-2001 | HITACHI, LTD. | | Abst. |
| | A11 | JP 01-307595 A | 12-12-1989 | MATSUSHITA REFRIGERATION | | Abst. |
| | A12 | EP 1 308 685 A2 | 05-07-2003 | BEHR GMBH & CO. | | Abst. |
| | A13 | WO 97/23759 A1 | 07-03-1997 | ALFA LAVAL AB | | |
| | A14 | WO 01/67021 A1 | 09-13-2001 | ALFA LAVAL AB | | |
| | A15 | WO 03/010482 A1 | 02-06-2003 | ALFA LAVAL CORPORATE AB | | |
| | A16 | WO 2005/012819 A1 | 02-10-2005 | BEHR GMBH & CO. KG | | |
| | A17 | DE 198 33 338 A1 | 01-27-2000 | MODINE MFG CO. | | Abst. |
| | A18 | EP 1 281 921 A2 | 02-05-2003 | INGERSOLL-RAND ENERGY SYSTEMS CORP. | | |

Examiner
Signature

/Teresa Walberg/

Date
Considered

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| | | | | Examiner Name | Teresa J. Walberg |
| Sheet | 2 | of | 2 | Attorney Docket Number | 016906-0510 |

| NON PATENT LITERATURE DOCUMENTS | | | |
|---------------------------------|-----------------------|--|----------------|
| Examiner Initials* | Cite No. ¹ | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published. | T ⁶ |
| | A19 | D. HENDRIX, U.S. PTO Office Action, Serial No. 10/579,039. dated 07-23-2008, 8 pages. | |
| | A20 | D. HENDRIX, U.S. PTO Office Action, Serial No. 10/579,039, dated 01-22-2009, 8 pages. | |
| | A21 | D. HENDRIX, U.S. PTO Office Action, Serial No. 10/579,039, dated 07-06-2009, 8 pages. | |
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|---------------------------|------------------|------------------------|------------|
| Examiner Signature | /Teresa Walberg/ | Date Considered | 02/17/2010 |
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